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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
STERRETT, JONATHAN G	

ART UNIT	PAPER NUMBER
3623	

DATE MAILED: 12/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/849,291	FRIEDLANDER ET AL.	
	Examiner	Art Unit	
	Jonathan G. Sterrett	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *9-13-2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Summary

1. This **Final Office Action** is responsive to applicant's amendment filed September 13, 2005. Currently **Claims 1-33** are pending.

Response to Amendments

2. The rejection of **Claims 1-14 and 23-31** under 35 USC 101 has been withdrawn.

The rejection of **Claims 15-22** under 35 USC 112 has been withdrawn.

Response to Arguments

3. The applicant's arguments have been fully considered regarding **Claims 1, 15 and 23**, but they are not persuasive.

The applicant argues that Guinta fails to teach performing the querying, quantifying, modifying and comparing step prior to implementing the technical change in the organization (page 11).

The examiner respectfully disagrees.

In column 3 line 51-55, corrective action (i.e. implementing a technical change in the organization) is subsequent, i.e. prior to, implementing a technical change. Guinta teaches performing an assessment of the organization that includes **querying** (see Figure 5 "How extensively is the system deployed"), **quantifying** (see column 6 line 41-44, a value is input that quantifies the

assessed response; in this case the value assesses on a 0-100 scale "how well the system or process is deployed"), **modifying** (column 7 line 34-37, the first input may be multiplied, i.e. modified, by a second input that combines the characteristics of both inputs).

Once the querying, quantifying and modifying steps are performed according to Guinta, then corrective action occurs as a result of the assessment provided (see column 11 line 31-37). The corrective action identifies a solution, who will implement the solution and what the timeline is for implementing the solution to address deficiencies identified in the assessment (see column 12 line 7-9 and column 12 line 15-20). Since Guinta teaches that the deficiencies identified in the assessment include those related to, e.g., a system (see column 10 line 29-31) and deployment of solutions to fix the system, these solutions comprise implementing a technical change in the organization, since they are system-related. The querying, quantifying and modifying is performed before implementing the technical change in the organization, since these three assessment steps determine the corrective action (i.e. technical change in the organization) taught by Guinta.

The applicant further argues that in **Claims 1, 15 and 23**, Guinta fails to teach that its numerical input is modified using a modifier that relates to a response to a change.

The examiner respectfully disagrees.

In column 6 line 54-56, the second input (i.e. modifier) reflects how extensively the system is actually deployed to address a particular issue. Since the implementation of the system taught by Guinta comprises a technical change the organization has experienced, then evaluating how widespread this technical change is in the organization, then this second input (i.e. modifier) relates to a response to a change.

In column 7 line 34-37, Guinta teaches that the first input (i.e. numerical input) may be multiplied, i.e. modified, by a second input to combine the characteristics of both inputs.

The applicant further argues that in **Claims 1 and 17**, Guinta fails to teach quantifying the baseline response into a raw score by assigning a value to each baseline response.

The examiner respectfully disagrees.

In column 5 line 61-63, Guinta teaches where the first input into the assessment system can be different types of non-numerical inputs including a textual input. In column 6 line 41-44, Guinta teaches these non-numerical values can be assigned a numerical response (i.e. quantifying the baseline response into a raw score), using, for example, a 1-100 scale that is indicative of the assessed answer. See Figure 7E for an example of where a baseline response is quantified into a raw score.

The applicant argues that in **Claims 6, 13, 20 and 29**, Guinta fails to teach wherein each query comprises a set of questions with each question in the set of questions in a yes/no/sometimes format.

However, the argument is moot in view of new grounds of rejection as necessitated by the claim amendment.

The applicant argues that in **Claims 18 and 28**, Guinta fails to teach wherein the modifier comprises at least one of a stiffness modifier that relates to how a particular type of organization traditionally responds to change and an individual modifier that relates to how a particular individual traditionally responds to change.

However, the argument is moot in view of new grounds of rejection as necessitated by the claim amendment.

The applicant argues that in **Claims 10 and 32**, Guinta fails to teach program code configured to receive a set of hierarchy responses to queries prior to implementing the technical change in the organization and program code configured to modify the raw score into a skill score using at least one modifier that relates to a response to change.

The examiner respectfully disagrees.

Guinta teaches an assessment system that is a computer program, i.e. program code (see Figures 7B-7D for screenshots of his program). This program code receives a set of hierarchy responses. The responses are hierarchical in at

least two ways. The responses are hierarchical in that the responses provide information about the hierarchy of the organization (column 4 line 19-24). The responses are also hierarchical in that subsequent questions are triggered by specific responses to branch further questioning based on previous responses (column 8 line 26-31). As discussed above, these responses are received prior to implementing the technical change in the organization, since the responses determine what correction action is required.

Guinta's program code includes modifying the raw score into a skill score: The second input (i.e. modifier; see column 6 line 54-56) reflects how extensively the system is actually deployed to address a particular issue. The first input is multiplied with the second input to modify the first input (i.e. the raw score) into a second score (i.e. a skill score). Since the implementation of the system taught by Guinta comprises a technical change the organization has experienced, then evaluating how widespread the technical change is in the organization relates to a response to a change. Guinta teaches that the first input (i.e. numerical input; see column 7 line 34-37) may be multiplied, i.e. modified, by a second input to combine the characteristics of both inputs, i.e. converting a 'raw score' into a 'skill score'.

The applicant argues that in **Claims 10, 32 and 27**, Guinta fails to teach quantifying the set of responses into a raw score by assigning a value to each baseline response.

The examiner respectfully disagrees.

In column 6 line 41-45 answers relating to, in this example, are quantified on a scale of 1 to 100, where the answer addresses an assessment of the organization or system in how extensively is something deployed. See also column 5 line 33-38 where the person answering the question quantifies their response into a raw score by assigning a value to their response.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1, 3-5, 11, 12, 15, 17, 19, 21, 23, 25, 26 and 30** are rejected under 35 U.S.C. 102(e) as being anticipated by **Guinta US 6,161,101.**

Regarding **Claim 1**, Guinta discloses:

Prior to implementing the technical change in the organization;

Column 3 line 51-55, corrective action (i.e. implementing a technical change in the organization) is subsequent, i.e. prior to, implementing a change.

querying a hierarchy in the organization to obtain a baseline response;

Column 3 line 61-65, assessor determines who in the organization should be queried in order to provide an organizational assessment. This would include identifying a hierarchy (i.e. chain of command) in the organization whose input would be entered into the system. E.g. column 4 line 34-36 – individuals in the hierarchy identified to provide assessment input.

Column 5 line 11-13, questions are posed to obtain an input into the system (i.e.. baseline response).

quantifying the baseline response into a raw score by assigning a value to each baseline response;

column 7 line 45-47, the input (i.e. baseline response) can be filtered using a variety of mathematical operations to be quantified (i.e. quantified into a raw score).

Column 6 line 41-44, values can be assigned to a baseline response, e.g. 1-100 scale that is indicative of the assessed answer.

modifying the raw score using at least one modifier that relates to a response to change to yield a skill score; and

column 9 line 44-47, scores can be modified based on a wide variety of factors.

Column 6 line 54-56, the second input (i.e. modifier) reflects how extensively the organization is deployed to address the issue (i.e. relates to a response to a change). See also column 6 line 56-63 for a discussion of how widely deployed a system is to address an issue, i.e. in relation to response to a change.

comparing the skill score to a predetermined required score to determine a predicted response to the technical change.

Column 11 line 45-46, the resulting scores (i.e. skill scores) are compared to selected thresholds (i.e. predetermined required score) to determine specific problem areas. If the resulting scores are lower than the threshold scores, then the system predicts there is a deficiency in the response in that particular area.

Regarding **Claim 3**, Guinta discloses:

querying a hierarchy in the organization;

Column 3 line 61-65, assessor determines who in the organization should be queried in order to provide an organizational assessment. This would include identifying a hierarchy (i.e. chain of command) in the organization whose input would be entered into the system. E.g. column 4 line 34-36 – individuals in the hierarchy identified to provide assessment input.

Column 5 line 11-13, questions are posed to obtain an input into the system (i.e.. baseline response).

and receiving a set of hierarchy responses to the querying to yield the baseline response.

Column 4 line 39-41, any number of different individuals from different departments, including hierarchies in that department, may be select to enter inputs into the system. The total group of responses from these individuals would comprise a set of responses.

Column 7 line 52-54, e.g. a set of 100 different issues were assessed (i.e. responses received into system) from 10 assessors.

Column 5 line 11-13, questions are posed to obtain an input into the system (i.e.. baseline response). Any number of individuals in a hierarchy can provide input into the baseline response.

Regarding **Claim 4**, Guinta discloses:

the step of providing queries organized into query topics for querying the hierarchy.

Column 13 Table 1, this table illustrates an example of how the system disclosed by Guinta has queries organized into topics for querying the hierarchy. For example, 4.1 is the topic of 'Management Responsibility' and 4.2 is a set of queries addressing the 'Quality System'.

Regarding **Claim 5**, Guinta discloses:

wherein the query topics comprise:

leadership,

Column 13 table 4.1 "Management Responsibility" deals with leadership responsibilities within the management function in queries 1-7.

planning,

column 13 table 4.1 "Management Responsibility" deals with planning in queries 8.1-8.4.

administration,

column 18 table 4.16 'Control of Quality Records' deals with the overall administration of quality recordkeeping.

operations,

Column 20 table II.3 –"Manufacturing Capabilities" is an operations category.

quality assurance,

Column 19 table 4.17 –"Internal Quality Audits" deal with quality assurance.

communications,

Column 19 table 4.19 –'Servicing' ensures that data is communicated to supplier, manufacturing, engineering and design activities

project management, and

column 14 table 4.4 "Design Control" deals with project management within the design context, e.g. query 1 "Design plans for each project have been established and responsibility assigned".

training.

Column 19 table 4.18 – "Training"

Claims 11, 12, 15, 21, 23, 25 and 30 recite similar limitations as those recited in **Claims 1 and 3-5** above, and are therefore rejected under the same rationale.

Regarding **Claim 17**, Guinta discloses:

wherein the program code configured to quantify converts the inputted responses into values to yield the raw score.

Column 5 line 42-46, a user can input on a sliding scale on the computer their perception of how well the organization performs on an issue. The sliding scale is used by the computer program (i.e. program code) to convert the inputted response into a value for the inputted value – see Figure 7 and column 10 line 44-47

Regarding **Claim 19**, Guinta discloses:

wherein the program code configured to compare determines the mathematical difference between the skill score and the predetermined required score to yield the predicted response.

Column 11 line 40-46. The inputted response is converted into a numerical value. A predetermined threshold value is compared with the numerical value to determine if the threshold value is exceeded. The only way to determine if the threshold value is exceeded is to determine the mathematical difference between the numerical value (i.e. skill score) and the threshold value (i.e. predetermined required score). If the threshold values are not exceeded, resulting in a negative difference (i.e. predicted response), this means that the organization would have a weakness requiring corrective action – see column 11 line 47-50 and column 11 line 56-58. The above runs on a computer with code – see Figures 1, 7a & 7b & column 3 line 25-31.

Claim 26 recites similar limitations as those recited in **Claim 19** above, and is therefore rejected under the same rationale.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. **Claims 2, 7-10, 14, 16, 22, 24, 27 and 31-33** are rejected under 35 U.S.C. 103(a) as being unpatentable over Guinta in view of Curtis.

Curtis, Bill; Hefley, William E.; Miller, Sally; "People Capability Maturity Model[SM]", Sept 1995, Software Engineering Institute, CMU/SEI-95-MM-02, sections O, L1-L4.

Regarding **Claim 2**, Guinta all the limitations of Claim 1 above, and also teaches:

recommending a corrective action based on the predicted response,

Column 12 line 25-26, the system provides a report recommending corrective actions based on the previous assessment of the weaknesses of the organization.

Guinta does not teach:

and implementing the technical change

Curtis teaches:

and implementing the technical change

Page 041 paragraph 2 line 1-3, an action team is formed to implement the solution to remedy weakness(s) identified by the maturity model assessment.

Guinta and Curtis both address identifying deficiencies and opportunities for improvement within organizations, thus both Guinta and Curtis are analogous art.

Curtis teaches that applying CMM principles to an improvement program that implements technical changes recommended by a diagnostic or assessment program results in an organization having reduced turnover and a greater readiness to perform in fast-paced environments (page O-40 paragraph 1 line 1-2).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Guinta, regarding providing organizational assessments and recommended corrective actions, to include implementing the recommended corrective actions, as taught by Curtis, because it would result in an organization having reduced turnover and a greater readiness to perform in fast-paced environments.

Regarding **Claim 7**, Guinta teaches that large entities such as corporations, professional associations and governmental units conduct assessments within their organizations, i.e. hierarchies (column 1 line 19-21).

Guinta does not teach:

wherein the hierarchies comprise senior management, mid-level management, administrators, analysts, operations, project management, and end users.

The examiner takes Official Notice that it is old and well known in the art of management for large organizations such as corporations, associations and governmental units to contain hierarchies comprised of:

Senior management -most firms contain a hierarchy at the top comprising a chairman or CEO then on down to VP or Senior VP and on down to director level positions. Most corporate firms distinguish the senior management hierarchy by determining incentive compensation of company stock, i.e., if you receive or are eligible to receive IC, then an individual is considered senior management

Mid-level management – usually characterized by the director and manager and first line supervisory positions. These positions are differentiated from senior management positions in that they do not receive stock or IC options.

Administrators – characterized by those who are either in charge of administering and/or supervising support positions such as office staffing, secretarial or office assistant pools.

Analysts – characterized by a business where analyzing and responding to information is primary to the business. Good examples of organizations containing hierarchies of analysts include financial firms and government intelligence groups dealing with national security issues.

Operations – characterized by those organizations involved in manufacturing or supply chain management where large numbers of individuals are organized into hierarchies due to specialization of labor.

Project management – characterized by organizations where conducting projects is a primary goal. Best examples here exist in construction, firms focusing on product development or defense-related government procurement (e.g. weapons systems).

End users –characterized by organizations where products are distributed down a hierarchy of distribution channels. A good example of this is a supply chain where a small component supplied by an organization is assembled into a progressively larger product and where each group forms a hierarchy. For example, Tier 1, 2 and 3 automotive suppliers form a hierarchy of end users.

These various hierarchies represent a broad spectrum of functional areas that are old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Guinta regarding providing organizational assessments, to include the hierarchies of senior management, midlevel management, administrators, analysts, operations, project management and end users, because it would ensure a complete and accurate organizational assessment.

Regarding **Claim 8**, Guinta teaches all the limitations of Claim 1 above, but does not teach:

wherein the querying step comprises the step of querying each of the hierarchies in the organization, and wherein a separate baseline response is obtained for each hierarchy and for the organization.

Curtis teaches:

wherein the querying step comprises the step of querying each of the hierarchies in the organization, and wherein a separate baseline response is obtained for each hierarchy and for the organization

Page O-34 paragraph 2 line 4-6, a capability maturity assessment is a query of the hierarchies in an organization. It focuses on how hierarchies within an organization are performing with respect to each of the People-CMM practice areas. In other words, a baseline for each organization hierarchy is established.

Page O-34 paragraph 4 line 3-4, the maturity level, or baseline, for an overall organization, is the lowest level of maturity that has been achieved by any of the hierarchies in the organization.

Guinta and Curtis both address identifying deficiencies and opportunities for improvement within organizations, thus both Guinta and Curtis are analogous art.

Curtis teaches that applying CMM principles to an improvement program that implements technical changes recommended by a diagnostic or assessment program results in an organization having reduced turnover and a greater readiness to perform in fast-paced environments (page O-40 paragraph 1 line 1-2).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Guinta, regarding providing organizational assessments and recommended corrective actions, to include evaluating baseline assessments for hierarchies within the organization and for the overall organization, as taught by Curtis, because it would result in an organization having reduced turnover and a greater readiness to perform in fast-paced environments.

Regarding **Claim 9**, Guinta and Curtis teach all the limitations of Claim 8 above.

Guinta also teaches:

wherein each separate baseline response is quantified, modified and compared to a predetermined required score.

Column 7 line 45-47, the input (i.e. baseline response) can be filtered using a variety of mathematical operations to be quantified (i.e. quantified into a raw score).

Column 9 line 44-47, scores can be modified based on a wide variety of factors

Column 11 line 45-46, the resulting scores (i.e. skill scores) are compared to selected thresholds (i.e. predetermined required score) to determine specific problem areas. If the resulting scores are lower than the threshold scores, then the system predicts there is a deficiency in the response in that particular area.

Claims 10, 14, 16, 22, 24, 27 and 31-33 recite similar limitations as those recited in **Claims 2 and 7-9** above, and are therefore rejected under the same rationale.

8. **Claims 6, 13, 20 and 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over Guinta.

Regarding **Claim 6**, Guinta teaches:

wherein each query comprises a set of questions,

Column 5 line 1-2, a series of questions are posed as part of a single query.

with each question in the set of questions in a yes/no format.

Column 5 line 62, yes/no inputs can be input into query.

Guinta does not teach inputting a 'sometimes' answer into the query.

Official Notice is taken that it is old and well known in the art for queries to have an answer as "sometimes". This allows for the possibility that the person answering the question wishes to indicate an answer that conveys an incident occasionally occurring.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Guinta, regarding providing a yes/no answer to a query, to include the step of providing the possibility of a selection being 'sometimes', because it would allow a person to answer a question to indicate something occurring occasionally.

Claims 13, 20 and 29 recite similar limitations as those recited in **Claim 6** above, and are therefore rejected under the same rationale.

9. **Claims 18 and 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Guinta** in view of **Bobic**.

Bobic, Michael; Davis, Eric; Cunningham, Robert; "The Kirton adaption-innnovation inventory", Spring 1999, Review of Public Personnel Administration, v19n2, pp.18-31, Dialog 01991101 47253077.

Regarding **Claim 18**, Guinta teaches:

wherein the program code configured to modify performs a mathematical operation on the raw score with a modifier to yield the skill score,

Column 9 line 44-46, the numerical input (i.e. raw score) can be modified using a wide variety of factors to correlate the response with an output desired. This would include using a mathematical operation to revise (i.e. modify) the numerical input so that the result is correlated with the input information.

The above runs on a computer with code – see Figures 1, 7a & 7b & column 3 line 25-31.

Guinta does not teach:

and wherein the modifier comprises at least one of a stiffness modifier that relates to how a particular type of organization traditionally responds to change and an individual modifier that relates to how a particular individual traditionally responds to change.

Bobic teaches:

and wherein the modifier comprises at least one of a stiffness modifier that relates to how a particular type of organization traditionally responds to change and an individual modifier that relates to how a particular individual traditionally responds to change.

Page 3 paragraph 5 line 1-6, the KAI provides scores that measure how an individual traditionally responds to change by helping to quantify them as either an innovator or adaptor – see also page 2 paragraph 5 line 4-6, managers are scored on the KAI scale.

Bobic and Guinta both address assessing organizational effectiveness, thus Bobic and Guinta are analogous art.

Bobic teaches that measuring a particular individual's resistance to change in characterizing them as innovators or adaptors is essential to balancing team membership in an organization so that organizational effectiveness is high in responding to change. (page 3 paragraph 1 line 1-9).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Guinta, regarding scoring an organization with an initial score and a modifier, to include where the modifier relates to how a

particular individual traditionally responds to change, as taught by Bobic, because it would enable an organization to effectively respond to change.

Claim 28 recites similar limitations as those recited in **Claim 18** above, and is therefore rejected under the same rationale.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Siegal, Wes; Church, Allan H; Javitch, Miriam; "Understanding the management of change: An overview of managers' perspectives and assumptions in the 1990s", 1996, Journal of Organizational Change Management, v9n6, pp.54, Dialog 02421844 117542643.

Chow, Chee W; Ganulin, Denise; Haddad, Kamal; "the balanced scorecard: A potent tool for energizing and focusing healthcare organization management", May/June 1998, Journal of Healthcare Management, v43n3, pp.263-280, Dialog 01654930 03-05920.

Mani, Bonnie G; "TQM Management development in public agencies using the Myers-Briggs type indicator and the adjective check list: A retrospective case study in the IRS", Fall 1996, Review of Public Personnel Administration, v16n4, pp.79-96, Dialog 01348727 99-98123.

Schuster, Frederick E; Morden, D Larry; Baker, Thomas E; "Management practice, organization climate and performance: A exploratory study", June

1997, Journal of Applied Behavioural Science, v33n2, pp.209-226, Dialog 01437514 00-88501.

Abraham, Morris; Crawford, John; Carter, David; "Management decisions for effective ISO 9000 accreditation", 2000, Management Decision, London, Vol. 38, Iss. 3, P.182(12), ProQuest ID 254419231.

Stivers, Bonnie P; Joyce, Theresa; "Building a balanced performance management system", Spring 2000, SAM Advanced Management Journal, Vol. 65, Iss. 2, pp.22(8), ProQuest ID 53387429.

Bonvillian, Gary; Pearse, Robert F; "Applying change leadership course skills", Spring 2000, Compensation and Benefits Management, New York, Vol. 16, Iss. 2, p.23(14), ProQuest ID 52891307.

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan G. Sterrett whose telephone number is 571-272-6881. The examiner can normally be reached on 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JGS

JGS 11-25-05

TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600